

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION**

FRED LEICHT, : Case No. C-1-00-853
Plaintiff, : (Judge Dlott)
v. :
AUTOZONE, INC. et al, :
Defendant. :

SUMMARY NOTICE OF CLASS ACTION AND PROPOSED SETTLEMENT

**TO: ALL PERSONS WHO WERE EMPLOYED BY AUTOZONE
AT STORE 705, 5645 GLENWAY AVENUE, CINCINNATI, OHIO,
AT ANY TIME BETWEEN OCTOBER 17, 1997 AND JUNE 30, 2000,
WHOSE EMPLOYEE TIME RECORDS WERE ALTERED AND
WHO WERE PAID ON AN HOURLY BASIS.**

Please read this notice carefully. It affects your rights.

THE NATURE OF THIS LAWSUIT

You are hereby notified of the certification of a class of which you are a member and of the preliminary approval of a proposed settlement in the above matter. The case involves allegations that time records of employees at AutoZone Store 705 were altered which it is alleged violates Ohio's Wage and Hour laws. AutoZone has denied such allegations but has agreed to a settlement of the case to avoid the time and expense of further litigation.

A Fairness Hearing concerning the settlement will be held on _____, 2004, at _____m. in Room _____ of the United States Courthouse, 100 East Fifth Street, Cincinnati, Ohio 45202. You have the right to appear and comment at this

hearing, or to appear and comment by writing, on the fairness, adequacy, and reasonableness of the settlement.

FURTHER INFORMATION AVAILABLE

The description in this summary notice is general only and does not purport to provide a complete statement of the class action or proposed settlement. If you think you may be a member of the class but have not received a mailed Notice and Proof of Claim, you may obtain these documents by writing to:

Randolph H. Freking, Esq.
Freking & Betz
215 E. Ninth Street
Fifth Floor
Cincinnati, OH 45202

Any other questions you may have about the matters asserted in this Notice should not be made to the Court but should instead be directed to Counsel for the Settlement Class:

Randolph H. Freking, Esq.
Freking & Betz
215 E. Ninth Street
Fifth Floor
Cincinnati, OH 45202

Or

Carol S. Wood, Esq.
3016 Lischer Avenue
Cincinnati, Ohio 45211

Any class member who does not timely file and serve an intention to appear, or written comments or objections, shall be deemed to have waived any and all objections and shall be foreclosed from objecting (by appearance or otherwise) to the proposed

settlement. **ANY CLASS MEMBER WHO IS SATISFIED WITH THE PROPOSED SETTLEMENT NEED NOT APPEAR AT THE HEARING OR SUBMIT ANY COMMENTS.**

Certain of the pleadings and other papers filed in this action are also available for inspection at the office of the Clerk of Court in the U.S. Courthouse, 100 E. Fifth Street, Cincinnati, OH 45202.

By Order of the Honorable Susan J. Dlott,
Judge of the United States District Court for the
Southern District of Ohio